

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS  
MINUTES OF MEETING OF THE BOARD**

**DATE: August 15, 2007**

**PLACE: Department of Administration  
One Capitol Hill, Conference Room B  
Providence, RI 02908**

**MEMBERS PRESENT: Dana M. Newbrook, Wilbur E. Yoder, James R. Carlson, Joseph A. Cirillo and Barbara Feibelman**

**OTHERS PRESENT: Peter N. Dennehy, Deputy Chief Legal Counsel,  
Dept. of Admin.**

**Adam J. Sholes, Special Assistant Attorney General  
Dawne Broadfield, Board Executive  
Girard R. Visconti, Esq.**

**CALLED TO ORDER: Chair Newbrook called the meeting to order at  
3:45 pm. to commence Board business.**

**MINUTES OF THE MEETING OF THE BOARD**

**(1) Vice-Chair Yoder moved to approve the open meeting minutes of  
July 18, 2007 as published. Ms. Feibelman seconded. Motion  
approved.**

**(2) Vice-Chair Yoder moved to approve and seal the executive session meeting minutes of the July 18, 2007 as published. Ms. Feibelman seconded. Motion approved.**

**(3) Vice-Chair Yoder moved to approve the open meeting minutes of August 2, 2007 as published. Ms. Feibelman seconded. Motion approved.**

## **EXECUTIVE SESSION**

**(1) Secretary Carlson moved to convene into executive session at 4:30 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Vice-Chair Yoder seconded. Motion approved.**

**Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 6:40 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Yoder seconded. Motion approved.**

**Secretary Carlson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Vice-Chair Yoder seconded. Motion approved to close Planners, Designers, Architects, Inc.; Brian O'Connell**

**Architects; and Robert Stirling Morris, Morris Architecture/Planning.**

**Secretary Carlson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Vice-Chair Yoder seconded. Motion approved.**

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## **OLD BUSINESS**

### **(1) Update on the “Rules of the Board” and “By-Laws”**

**The Board incorporated the By-Laws into the Rules and Regulations effective June 28, 2007. Per the Rhode Island Secretary of State’s office, the Board must now file a “Notice of Repeal” to repeal the previous version of the By-Laws on file. Attorney Dennehy and Mrs. Broadfield will take the necessary steps to publish the “Notice of Repeal” of the By-Laws when funds are available to do so.**

**Vice-Chair Yoder moved to continue. Ms. Feibelman seconded.**

**Motion approved.**

**(2) “Tech Note” – Meeting to be scheduled with the League of Cities and Towns, State Building Code Commissioner and the Board.**

**At the request of Mr. Cirillo, the Board was placed on the building officials’ regular mandated meeting agenda on Wednesday, August 29, 2007 to discuss the “Tech Note” that was issued by the State Building Code Commission. The meeting will be held at the West Valley Inn in West Warwick, RI, and the Board will speak between 1:00 p.m. and 2:00 p.m. Chair Newbrook will be attending along with Mr. Cirillo.**

**(3) Discussion on “Disaster” – Continuity of Operations Plan (COOP)**

**The COOP was adopted at the last meeting and will be revisited yearly in September. Therefore, this was continued to the next meeting in September.**

**(4) Discussion on “Pre-Set Fine Amounts for Violations”**

**Secretary Carlson moved to continue due to the pending reorganization of the Boards. Vice-Chair Yoder seconded. Motion approved.**

**(5) 2007 – H – 5300 Sub A – Article 3 - Reorganization**

**It was agreed upon by the four Boards that each of the Board members would send letters to the Chair of the House Finance Committee and its members. Ms. Feibelman asked if any of the Board members did so. Chair Newbrook stated that he started to write a letter but has not sent it.**

**Attorney Dennehy indicated that there was concern by the Boards regarding the way that the legislation was written and that the new law should be amended to at least have the January 2008 date stayed or have the law repealed. Attorney Dennehy will be preparing proposed legislation requesting that the January 2008 date be changed to January 2010 and will distribute the proposed legislation to all of the Boards by the September meetings. Attorney Dennehy suggested that when the Board members prepare their letters to be sent to the Chair of the House Finance Committee and its members, the Board members can indicate that there are problems with the way that the legislation, Chapter 73 of the Public Laws 2007 – Article 3, Section 12, was written, and to correct it, the Boards are asking for consideration of the proposed legislation as drafted.**

**Secretary Carlson moved to continue. Vice-Chair Yoder seconded. Motion approved.**

**(6) Discussion on the National Council of Architectural Registration Boards (NCARB) Resolution 07-8 on the ARE Timing: NCARB**

## **Required Eligibility to Complete the Architectural Registration Examination (ARE) that was passed at the 2007 NCARB Annual Meeting**

**The Board sent a letter to the New England Conference of Architectural Registration Boards (NECARB) Region I requesting that NCARB Resolution 07-8 be added to the agenda for the 2007 NECARB Fall meeting scheduled for October 26 -27, 2007 in Mystic, CT. The Board received a letter from Rob Meyer, Director of Region I, asking for the concerns of Region I. Secretary Carlson replied to Mr. Meyer indicating that this Board is concerned about the ARE timing and would like to discuss the subject at the 2007 NECARB Fall meeting and with him as well and is also concerned about the lack of NCARB taking a position by not making this resolution a part of the model law and leaving it up to the states.**

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**After reviewing the rules, this Board has decided that its law and rules are open. A candidate must complete the Intern Development Program (IDP) and pass the ARE before that candidate can be registered to practice architecture in Rhode Island. The law and rules do not state when IDP has to be completed in relation to taking the ARE. It has been the Board's practice that the candidate completes IDP and then is eligible and can begin taking the ARE. This Board will revisit the policy following the 2007 NECARB Fall meeting and expects to act sometime in November or December.**

**Vice-Chair Yoder moved to remove this item from the agenda until it is discussed at the 2007 NECARB Fall Regional meeting and then add it back to the agenda in November. Ms. Feibelman seconded. Motion approved.**

#### **(7) Implementation of On-Line Renewals**

**Secretary Carlson moved that the Board notify RI.gov that this Board was suppose to be provided with the final “screen shots” of the on-line renewals before this meeting in order to act on it at this meeting. Because this Board has not received anything at this meeting, the Board has decided to postpone on-line renewals until the next renewal cycle in two years, December 31, 2009. Mr. Cirillo seconded. Motion approved.**

#### **BLUE BOOKS (RECIPROCITY)**

**(A) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2007. Vice-Chair Yoder seconded. Motion approved.**

- (1) ALTMAN, David    (6) GRIBBIN, Thomas Andrew**
- (2) BLANSKI, William A.    (7) HALEY, Gregory T.**
- (3) CRUSE, Andrew L.    (8) LAING, Gaylen H.**
- (4) DAVIS, Jr., Harold E.    (9) ZYCHOWICZ, Jr., John**
- (5) DiGIAMMO, Andrew Paul**

**(B) Secretary Carlson moved to approve the following Blue Book as submitted with an expiration date of December 31, 2007. Mr. Cirillo seconded. Motion approved.**

**(1) O'Connell, Brian T.**

**CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)**

**(A) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Karen Hughes, Architect and Kristin Simonson as submitted. Secretary Carlson seconded. Motion approved.**

**(B) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Limited Liability Companies (LLC) for Martin Batt Architects LLC and Callison Architecture LLC d/b/a Callison LLC as submitted. Secretary Carlson seconded. Motion approved.**

**(C) Ms. Feibelman moved to approve the applications for Certificates of Authorization for the Corporations for Anmahian Winton Associates, Inc. d/b/a Anmahian Winton Architects, Fukui Architects and mbi/k2m Architecture, Inc. Secretary Carlson seconded. Motion approved.**



**(D) Duany Plater-Zyberk & Co., LLC**

**Present at 4:00 p.m. was: Girard R. Visconti, Esq., on behalf of Duany Plater-Zyberk & Co., LLC**

**Ms. Feibelman gave the background of the application for the Certificate of Authorization for Duany Plater-Zyberk & Co., LLC. Duany Plater-Zyberk & Co., LLC answered “yes” to the question on the application that reads as follows: “Have you or any partner, majority shareholder, member of the board of directors, officers, managers or members practiced, or solicited architectural work or represented their self as an architect in this State prior to having been licensed?” which prompted the Board’s request for more information.**

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**Ms. Feibelman indicated that a letter was received from Robert R. Long, Jr., Lex Terra LLC, in response to the Board’s request for more information. Attorney Long indicated that the work provided was planning rather than architectural work and that the work was mistakenly identified in its original application, which is the subject of discussion. Attorney Long asked Attorney Visconti to represent his client on this matter.**

**Secretary Carlson told the Board that he requested a sample of what their work product, and Attorney Visconti provided those documents to the Board at this meeting. Secretary Carlson reviewed the**

documents and indicated that it was very hard to tell what appeared to be renderings of buildings and whether or not those renderings constituted architecture or not.

Attorney Visconti told the Board that Attorney Long mentioned the charrettes that were done by Duany Plater-Zyber & Co., LLC in 1991, 1992 and 1993. The charettes were not implemented by the City of Providence. Johnson and Wales brought in Imai Keller Moore Architects, Inc. and Durkee & Brown Architects as a team. In the event that anything developed, then those Rhode Island architectural firms would do the drawings.

Ms. Feibelman told Attorney Visconti that there was another question asking if the firm has solicited. Attorney Visconti could not answer that question, and the firm did not answer that question either. Attorney Visconti asked the Board to grant a conditional approval of the application for Certificate of Authorization. Attorney Visconti will then get the Board an answer in the next day on whether or not Duany Plater-Zyberk & Co., LLC haa any projects or have solicited any projects.

Secretary Carlson moved that the Board approve the application for Certificate of Authorization for Duany Plater-Zyberk & Co. Inc. contingent upon receipt of a letter certifying that Duany Plater-Zyberk & Co., LLC has no active project(s) in Rhode Island and that they did not solicit for architectural work prior to receiving this Certificate of

**Authorization. If they certify that there are or have in the past, then a disclosure to the Board must be sent. Ms. Feibelman seconded. Motion approved.**

**Attorney Visconti left at 4:15 p.m.**

**(E) Windigo Architecture, LLC**

**Ms. Feibelman stated that the firm received approval from this Board to practice architecture in Rhode Island under Windigo Architecture LLC. When Windigo Architecture, LLC applied to the Rhode Island Secretary of State's office to receive a Certificate of Authority and become in Good Standing, the Rhode Island Secretary of State's office told the firm that they could only practice in Rhode Island under Windigo Design, LLC, and that the name of Windigo Architecture LLC would become available on October 5, 2007.**

**Therefore, the firm has asked to practice as Windigo Architecture, LLC d/b/a Windigo Design, LLC. Ms. Feibelman stated that if the Board approves this name, then the firm would apply for a name change when the firm goes back to Windigo Architecture LLC.**

**Ms. Feibelman moved to approve the application for Certificate of Authorization for the Limited Liability Company for Windigo Architecture LLC d/b/a Windigo Design LLC, and if the firm name changes, the firm must submit an amended Certificate of**

**Authorization application. Vice-Chair Yoder seconded. Motion approved.**

**(F) The Johnson Studio**

**The Board sent a certified letter to The Johnson Studio requesting that the firm notify the Board of any and all project(s) in Rhode Island. To date, the Board has not received a response.**

**Ms. Feibelman moved to deny the application for Certificate of Authorization for the Corporation for The Johnson Studio. Secretary Carlson seconded. Motion approved.**

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**NEW BUSINESS**

**(1) 2007 NCARB Member Board Chairs Meeting Survey**

**Ms. Feibelman moved to amend the agenda to add for discussion the NCARB Survey being conducted for the 2007 NCARB Member Board Chairs Meeting. Secretary Carlson seconded. Motion approved.**

**Question 1: Immediate Issue is: the State reorganization of the**

**combining of the four Boards into one Board.**

**Future Issue is: two members of each of the 4 Boards on one Board when the reorganization occurs.**

**Question 2: How well is your jurisdiction prepared to deal with these issues/problems effectively?**

**The Boards are as well prepared as they could ever be, since they were completely blindsided. The Boards have the support of the lawyers and the support of the Department of Business Regulation (DBR).**

**Question 3: How satisfied are you with the resources available within your state to deal with the priorities you see on your future agenda and those issues you suspect are the horizon?**

**There is no confidence in the reorganized Board's future ability. The State will just keep taking staff and money.**

**Question 4: What purposeful information or services that you receive from NCARB do you regard as the very most important?**

**The architectural registration examination (ARE), Compiling of Blue Covers, Green Covers, and the ability to network amongst the Boards.**

**Question 5: What other information or data collection do you think is most important for NCARB to systematically organize and share with each member board jurisdiction?**

**The ability to request and collect information through the Group email.**

**Question 6: What new or improved services could NCARB provide to help your jurisdiction achieve your state's mission?**

**Anything that NCARB does to reinforce the importance of registered professionals to public safety, public awareness of what happens when there are not registered professionals involved and what is the benefit of having them involved.**

**Question 7: What other recommendations do you have for us regarding the success of the upcoming Member Board Chairs meeting in Memphis?**

**A discussion on Interior Designers/Architects.**

## **ADJOURNMENT**

**Chair Newbrook informed the Board that the next Board meeting is scheduled for September 19, 2007 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Vice-Chair Yoder moved to adjourn the meeting at 7:08 p.m. Ms. Feibelman seconded. Motion approved.**

**Respectfully submitted,**

**Dana M. Newbrook, NCARB, AIA**

**Chair**

**DMN/dmb**

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**C. O. A. APPLICATIONS**

**Board Meeting of 15 AUGUST 2007**

**SOLES**

**KAREN HUGHES, ARCHITECT - 0 - APPROVED – 08/15/07**

**KRISTIN SIMONSON - 0 - APPROVED – 08/15/07**

**PARTNERSHIP**

## **LIMITED LIABILITY COMPANY**

**MARTIN BATT ARCHITECTS LLC \$100. APPROVED – 08/15/07**

**CALLISON ARCHITECTURE LLC d/b/a**

**CALLISON LLC \$100. APPROVED – 08/15/07**

**DUANY PLATER-ZYBERK & CO., LLC \$100. APPROVED – 08/15/07**

**Waiting for Response to Question – 05/16/07 CONTINGENT UPON  
RECEIPT OF A LETTER CERTIFYING**

**THAT THE FIRM HAS NO ACTIVE PROJECT(S) AND  
THAT THE FIRM DID NOT SOLICIT FOR  
ARCHITECTURAL WORK PRIOR TO RECEIVING A COA.**

## **CORPORATIONS**

**ANMAHIAN WINTON ASSOCIATES, INC. d/b/a**

**ANMAHIAN WINTON ARCHITECTS \$100. APPROVED – 08/15/07**

**FUKUI ARCHITECTS \$100. APPROVED – 08/15/07**



**Mbi / k2m ARCHITECTURE, INC. \$100. APPROVED – 08/15/07**

## **QUESTION**

**WINDIGO ARCHITECTURE, LLC APPROVED – 08/15/07 -**

**GOOD STANDING REC'D FROM RI SEC. OF ST. AS WNDIGO  
ARCHITECTURE LLC d/b/a**

**TO DO BUSINESS IN RHODE ISLAND ONLY UNDER WINDIGO  
DESIGN LLC**

**WINDIGO DESIGN, LLC**

**CAN WE ISSUE COA, AND IF SO, UNDER WHAT NAME?**

## **DENIAL**

**THE JOHNSON STUDIO DENIED – 08/15/07**

**Letter sent requesting certification that the firm is**

**Not currently practicing architecture in RI since the**

**COA application was denied- Letter sent 05/0707 –**

**Waiting for a response.**

**08/15/07**

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